

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICOJORGE W. RAMOS, et al.,
Plaintiffs

vs.

NEW PUERTO RICO MARINE MANAGEMENT, INC., et al.,
DefendantsRECEIVED & FILED
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CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN PR
CIVIL NO.98-1379 (JP)ORDER**MOTION****RULING****Date Filed:** September 29, 1999**Docket:** #26

[] Plffs [X] Defts

Title: Opposition to Motion for Reconsideration

Defendants have pointed to Rule 56(f) which requires a party opposing a summary judgment motion who cannot justify his or her opposition to move the Court to order an appropriate remedy, such as holding his or her response in abeyance. The party who files a Rule 56(f) motion, however, must make a proffer in the form of an affidavit, something Plaintiff has failed to do, stating why he has not been able to oppose the motion for summary judgment. Further, the movant must show cause for not discovering sooner the facts which are necessary for his opposition for summary judgment and indicate how the facts will influence the outcome of the pending summary judgment motion. Rather than a method to buy time, motions for Rule 56(f) must be carefully considered. In the instant case, it appears that what Plaintiff stated to the Court that he had requested did not coincide with the requests made to Defendants during several depositions, the transcripts of which Plaintiff had not provided. Further, Defendants have delivered to Plaintiff the documents requested during the depositions. In view that Plaintiff had not given Defendant the tools, namely the transcripts, to know what documents it was requesting, the Court will not hold in abeyance Plaintiff's response. Therefore, Plaintiff shall file his response to Defendant's summary judgment on or before **October 15, 1999**. If Plaintiff fails to comply with this Order, the Court will not consider his response to Defendant's Motion for Summary Judgment.

Date: *Oct. 1, 1999**By*JAIME PIERAS, JR.
U.S. Senior District Judge

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